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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/808,092	03/24/2004	K. Scott Ramey	11158ROUS02C (NORT10-0039)	4151
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

## Office Action Summary

### Application No.

10/808,092

### Applicant(s)

RAMEY ET AL.

### Examiner

Gerald Gauthier

### Art Unit

2614

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 01 October 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 64-93 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 64-93 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 01 October 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17:2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>7/30/07</u> .   | 6) <input type="checkbox"/> Other: _____                          |

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 101***

1. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

2. **Claim(s) 84-93** are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. "A computer program product" is no a proper language to use for this type of claim. The limitations claimed are software, which rendered the claims non-statutory.

### ***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

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4. **Claim(s) 64-93** are rejected under 35 U.S.C. 102(e) as being anticipated by Bowman-Amuah (US 6,707,812 B1).

Regarding **claim(s) 64**, Bowman-Amuah discloses a method for enabling a web application to communicate with a telephony device (column 1, lines 8-11), comprising:  
providing a communication channel between the web application and the telephony device (column 17, lines 15-23); and

translating web application data from the web application into a telephony device data format of the telephony device (column 17, lines 29-48).

Regarding **claim(s) 65, 75 and 85**, Bowman-Amuah discloses a method wherein translating web application data further comprises: translating web application control data from the web application into a telephony device control data format of the telephony device (column 17, lines 29-48).

Regarding **claim(s) 66, 76 and 86**, Bowman-Amuah discloses a method wherein translating web application data further comprises: translating web application media data from the web application into a telephony device media data format of the telephony device (column 17, lines 29-48).

Regarding **claim(s) 67, 77 and 87**, Bowman-Amuah discloses a method further comprising: using a telephone device abstraction (column 17, lines 15-28).

Regarding **claim(s) 68, 78 and 88**, Bowman-Amuah discloses a method wherein using a telephony device abstraction further comprises: using an abstraction for a class of telephony devices (column 17, lines 15-28).

Regarding **claim(s) 69, 79 and 89**, Bowman-Amuah discloses a method further comprising: routing data transferred between the telephony device and the web application; and arbitrating access to the telephony device (column 17, lines 15-28).

Regarding **claim(s) 70, 80 and 90**, Bowman-Amuah discloses a method further comprising: providing a service plug-in (column 17, lines 15-28).

Regarding **claim(s) 71, 81 and 91**, Bowman-Amuah discloses a method further comprising: mapping the data to a telephony device resource (column 17, lines 15-28).

Regarding **claim(s) 72, 82 and 92**, Bowman-Amuah discloses a method further comprising: converting telephony device data to a wrapper API data format (column 17, lines 29-48).

Regarding **claim(s) 73, 83 and 93**, Bowman-Amuah discloses a method wherein the web application is another wrapper (column 17, lines 15-28).

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Regarding **claim(s) 74**, Bowman-Amuah discloses an apparatus for enabling a web application to communicate with a telephony device (column 1, lines 8-11) comprising:

means for providing a communication channel between the web application and the telephony device (column 17, lines 15-23); and

means for translating web application data from the web application into a telephony device data format of the telephony device (column 17, lines 29-48).

Regarding **claim(s) 84**, Bowman-Amuah discloses a computer program product comprising: a computer usable medium having computer readable code embodied therein for enabling a web application to communicate with a telephony device (column 1, lines 8-11), comprising,

computer readable code for causing a computer to provide a communication channel between the web application and the telephony device (column 17, lines 15-23), and

computer readable code for causing a computer to translate web application data from the web application into a telephony device data format of the telephony device (column 17, lines 29-48).

***Conclusion***

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gerald Gauthier whose telephone number is (571) 272-7539. The examiner can normally be reached on 8:00 AM to 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang can be reached on (571) 272-7547. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Gerald Gauthier/  
Primary Examiner  
Art Unit 2614

/GG/  
August 22, 2007